

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT
1385 EIGHTH STREET, SUITE 130
ARCATA, CA 95521
PHONE: (707) 826-8950
FAX: (707) 826-8960
WWW.COASTAL.CA.GOV



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Prepared April 1, 2022 (for the April 7, 2022 Hearing)

To: Commissioners and Interested Parties
From: Shana Gray, North Coast District Deputy Director
Subject: **North Coast District Deputy Director's Report for April 2022**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and local government acceptance of modifications for LCP certification for the North Coast District Office are being reported to the Commission on April 7, 2022. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's North Coast District Office in Arcata. Staff is asking for the Commission's concurrence on the waivers, immaterial amendments, and time extensions. The other items are presented for the Commission's information. Staff will report any objections received and any other relevant information on these items to the Commission when it considers the North Coast District Deputy Director's report on April 7th.

With respect to the April 7th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on April 7, 2022 (see attached)

Waivers

- 1-21-0883-W, Sousa – Lot line adjustment (Ferndale area, Humboldt Co.)

Immaterial Amendments

- 1-89-101-A2, Lazaro – Residence Addition and Repairs (Westport, Mendocino Co.)
- A-1-EUR-02-166-A6, Target Corporation – Parking Lot Changes (Eureka)

Time Extensions, Emergency Permits, and LCP Certifications – None

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NOTICE OF PROPOSED PERMIT WAIVER

Date: April 1, 2022

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Catherine Holloway, Coastal Program Analyst

Subject: **Coastal Development Permit (CDP) Waiver 1-21-0883-W**
Applicants: Jared and Courtney Sousa

Location: 1776 California St., Ferndale, Humboldt County
(APNs: 100-162-18, 100-181-04, & 100-231-02)

Proposed Development

Lot line adjustment (LLA) between two agricultural properties involving the transfer of 13 acres from Parcel A (100-181-04) to Parcel B (100-162-18 and 100-231-02), reducing the size of Parcel A from 19 to 6 acres, and increasing the size of Parcel B from 9 to 22 acres.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The existing 19-acre lot currently is developed with an existing farmhouse, barn, and accessory structures. The existing 9-acre parcel is undeveloped. The resultant 22-acre lot will consist of undeveloped farmland, which will remain in active agricultural use and will continue to support cattle grazing and other agricultural uses. The resultant 6-acre lot will contain the existing structures and also will continue to support active agricultural uses. The proposed LLA will consolidate most of the pastureland on the larger resultant lot to maximize agricultural productivity by facilitating a consistent management approach, allowing for fencing, irrigation systems, and crop and pasturage rotation. In addition, the reconfiguration of the 19-acre and 9-acre resultant parcels is consistent with the rural land division criteria of section 30250(a) of the Coastal Act, with 78.5% of the existing agriculturally zoned parcels in the surrounding area being developed and with a mean parcel size smaller than the proposed resultant lot sizes.

Therefore, the proposed development protects agricultural lands, will not adversely impact coastal resources, public access, or public recreation opportunities, and is

consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

Procedural Note

The project site is bisected by the boundary between the Commission's retained jurisdiction and Humboldt County's certified LCP jurisdiction. The Applicant, the County, and the Executive Director have agreed to the processing of a consolidated CDP application by the Commission pursuant to Coastal Act section 30601.3(a)(2).

Coastal Commission Review Procedure

This waiver is not valid until it has been reported to the Coastal Commission and the site of the proposed development has been appropriately noticed, pursuant to sec. 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. **This waiver is proposed to be reported to the Commission on Thursday, April 7, 2022.** If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED. Please see the Coastal Commission's Hybrid Hearing Procedures posted on the Coastal Commission's webpage at www.coastal.ca.gov for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email northcoast@coastal.ca.gov or call 415-904-5202.

The in-person hearing will be held at **County of Ventura, Board of Supervisors Chambers, 800 South Victoria Avenue, Ventura, CA 93009.** The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

If you have any questions about the proposal, please contact Catherine Holloway in the North Coast District office at Catherine.Holloway@coastal.ca.gov.

cc: Humboldt County Planning & Building Dept.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: March 23, 2022

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Tatiana Garcia, Coastal Program Analyst

Subject: Amendment to Coastal Development Permit (CDP) 1-89-101
Applicants: Connie and Richard Lazaro
Agent: Ronald Hals

Project Site

38980 North Highway 1, Westport, Mendocino County (APN 031-300-59, previously 013-300-01)

Original CDP Approval

CDP 1-89-101 was approved by the Commission on July 14, 1989 and authorized a boundary line adjustment of 658 sq.ft. from Parcel 1 to Parcel 2 and construction of a two-story single-family residence (SFR), satellite dish, and a garage. CDP Immaterial Amendment No. 1-89-101-A1 issued August 10, 1989 authorized minor revisions to the site plan.

Proposed CDP Amendment

(1) Construct a 10-foot by 12-foot first-floor addition to the SFR, a 10-foot by 12-foot second-floor addition, and a balcony and staircase connecting the deck to the second floor, (2) replace the SFR decking and roofing materials, (3) install a 6-foot-tall wooden fence along the east side of the property, (4) replace the roofing and siding on the existing garage, and (5) construct a 20-foot by 16-foot trellis connecting the garage and fence.

The Commission's reference number for this proposed amendment is **1-89-101-A2**.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The subject site is designated as a Rural Village under Mendocino County's certified LCP, which requires new development be compatible with existing development relative to scope and character. The site is adjacent to and visible from Highway 1 to the east, Westport Headlands Park (Park) to the south, and the Park's associated parking lot to the west. The

parcel is not within an LCP-designated highly scenic area, and no environmentally sensitive habitat areas occur within 100 feet of the site.

The proposed balcony, staircase, and additions, which have been partially constructed and for which this application seeks after-the-fact authorization, are confined to the footprint of the existing deck, and do not encroach closer to the Park than the existing permitted structure. The new development is approximately 75 feet away from the Park and parking lot, and the proposed 40-foot-long fence is positioned along the east side of the parcel, between the garage and Highway 1 where it also will not encroach into or affect access to the Park or parking lot. The proposed fence also will not block views to the ocean available from Highway 1. In addition, proposed building materials, including redwood siding and green metal roofing, are compatible with the character with the rural village community. The cumulative calculated alterations to the SFR represent a total increase of 17.5% gross floor area and alterations to less than 50% of the total structure in terms of major structural components. Thus, the proposed improvements do not rise to the level of a major remodel and do not constitute a replacement structure.

Therefore, as the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, the Executive Director has determined that the proposed amendment is immaterial.

Coastal Commission Review Procedure

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to NorthCoast@coastal.ca.gov. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Thursday, April 7, 2022. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

IMPORTANT! PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED. Please see the **Coastal Commission's Hybrid Hearing Procedures** posted on the Coastal Commission's webpage at www.coastal.ca.gov for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email NorthCoast@coastal.ca.gov or call 415-904-5202.

The in-person hearing will be held at **County of Ventura, Board of Supervisors Chambers, 800 South Victoria Avenue, Ventura, CA 93009**. The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

If you have any questions about the proposal or wish to register an objection, please contact Tatiana Garcia in the North Coast District office.

cc: Mendocino County Department of Planning and Building Services

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: March 23, 2022

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Tatiana Garcia, Coastal Program Analyst

Subject: Amendment to Coastal Development Permit (CDP) A-1-EUR-02-166
Applicant: Target Corporation
Agent: Kristine Simmons (Rich Development LLC)

Project Site

2525 4th street (Highway 1 south), Eureka, Humboldt County (APN 002-201-008)

Original CDP Approval

CDP A-1-EUR-02-166 was approved by the Commission on April 9, 2003 and authorized the demolition of the existing vacant Montgomery Ward building and construction of a new 126,563-square-foot retail store (Target) with an 8,081-square-foot attached garden center, repaving of the existing parking area, the addition of landscaping, and construction and dedication of public access parking and trails along Eureka Slough (Eureka Waterfront Trail) and to the existing boat ramp.

Five immaterial amendments have been processed since the original permit was approved. The first amendment request was withdrawn; the second added refrigeration units, enhanced security systems, crosswalk curb-cut ramp inserts, and concrete bollards at the store entry; the third modified the building façade and exterior signage; the fourth modified the interior store and exterior parking configurations, added a new refrigeration condensing unit on the building's rooftop, and installed new ADA signage in the parking lot; and the fifth immaterial amendment permitted installation of a power generator system and utility cabinet adjacent to the Target building.

Proposed CDP Amendment

(1) alterations to the parking lot configuration and (2) install coastal access parking signs at three dedicated parking spaces behind the Target store that provide access to the Eureka Waterfront Trail. The Commission's reference number for this proposed amendment is **A-1-EUR-02-166-A6**.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The City of Eureka authorized subdivision of the Target parcel on December 22, 2021 through the issuance of a local coastal development permit (CDP) and subdivision permit (SDMN-21-0004). The subdivision would create a small parcel located at the southwest-most corner of the site, occupying 0.78 acres of the 11.58-acre lot. This area is currently developed and used as paved parking spaces for visitors to Target. Pursuant to the City's CDP, the site will be developed with a restaurant structure and its associated facilities, including parking, landscaping, and a drive thru. The City's subdivision and CDP approval is contingent upon amending CDP A-1-EUR-02-166 to authorize alterations to the configuration of the Target parking lot and the installation of coastal access parking signs permitted by the Commission.

This portion of the site is over 100 feet away from wetlands and coastal access parking and trails and, thus, development of the restaurant is not anticipated to affect coastal resources.

The proposed reconfiguration of the parking lot will continue to provide the minimum amount of parking required by the certified LCP for the commercial development and will not impact public access to Eureka Slough or the Eureka Waterfront Trail. There will be three new coastal access signs installed to ensure that the three dedicated public access parking spaces required under the original permit remain available for public access use. The amended project will continue to be subject to the conditions of the originally approved permit requiring numerous best management practices for the protection of water quality and other performance standards for the protection of environmentally sensitive habitat areas.

Therefore, as the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, the Executive Director has determined that the proposed amendment is immaterial.

Coastal Commission Review Procedure

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to NorthCoast@coastal.ca.gov. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Thursday, April 7, 2022. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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cc: Eureka Development Services- Planning Department